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24 Attorneys for Defendants  
25 **TENDERLOIN GROCERY**

26 UNITED STATES DISTRICT COURT  
27 NORTHERN DISTRICT OF CALIFORNIA  
28 OAKLAND DIVISION

29 LORILLARD TOBACCO COMPANY, a  
30 Delaware corporation,

31 Plaintiff,

32 v.

33 TENDERLOIN GROCERY, a business  
34 entity; AHMED SAID, an individual; and  
35 DOES 1 – 10 inclusive,

36 Defendants.

CASE NO. C05 3123 CW

**STIPULATION AND [PROPOSED] ORDER,  
CONTINUING LAST DAY TO CONDUCT  
EARLY NEUTRAL EVALUATION**

DLA PIPER RUDNICK  
GRAY CARY US LLP

Stipulation and [Proposed] Order Continuing  
Last Day for ENE C05-3123 CW

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335142-101

1 Plaintiff Lorillard Tobacco Company ("Lorillard") and Defendants Tenderloin Grocery  
2 and Ahmed Said, hereby agree as follows:

3 WHEREAS, under the Court's December 8, 2005 Case Management Order the last day to  
4 complete the ADR session is February 17, 2006;

5 WHEREAS, the parties are presently attempting to work out a settlement among  
6 themselves;

7 WHEREAS, the parties participated in a telephone conference with the early-neutral  
8 evaluator and the evaluator is in agreement with this proposal;

9 WHEREAS, the parties respectfully request a sixty (60) day extension of time, until April  
10 18, 2006, in which to complete the ADR process.

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IRAY CARY US LLP

Stipulation and [Proposed] Order Continuing  
Last Day for ENE C05-3123 CW

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1 IT IS THEREFORE STIPULATED THAT:

2 1. The last day to complete the Early Neutral Evaluation is continued to April 18, 2006.

3  
4 SO STIPULATED:

5 Dated: February 3, 2006

DLA PIPER RUDNICK GRAY CARY US  
LLP

7 By: 

8 THOMAS A. BURG  
Attorneys for Plaintiff  
9 LORILLARD TOBACCO COMPANY

10 Dated: February 3, 2006

11 MICHAEL J. BLUMENFELD A  
12 PROFESSIONAL CORPORATION

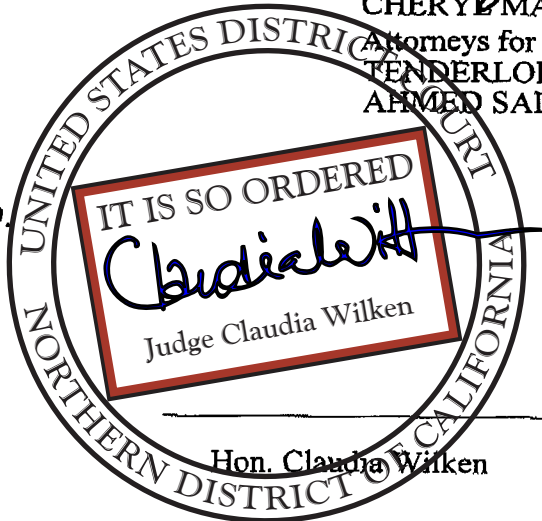
13 By: 

14 CHERYL MARTINSEN  
Attorneys for Defendants  
15 TENDERLOIN GROCERY and  
16 AHMED SAID

17 IT IS SO ORDERED.

18 2/7/06

19 Dated: \_\_\_\_\_



21 Hon. Claudia Wilken

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28 LA PIPER RUDNICK  
RAY CARY US LLP

Stipulation and [Proposed] Order Continuing  
Last Day for ENE C05-3123 CW

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